REMARKS

At the outset, Applicant requests an interview to advance prosecution.

Claims 1-26 are pending. Applicant amends claim 26 to improve form.

The Examiner rejected claims 1-26 under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,970,476 to Jonsson et al. (Jonsson) in view of U.S. Patent Application Publication No. 2003/0012278 to Banerji et al. (Banerji) and U.S. Patent Application No. 6,151,627 to McBride et al. (McBride). Applicant respectfully traverses this rejection.

Claim 1 recites, among other things, the following feature: "selectively updating a compression history at a compressor based on **a first algorithm configured to determine whether a packet is to be compressed**, and based on a second algorithm configured to determine whether a compressed packet is to be used for the updating of the compression history." Emphasis added.

In contrast, Jonsson discloses context updates for header compression and decompression. The Examiner acknowledges that Jonsson fails to disclose or suggest "a first algorithm configured to determine whether a packet is to be compressed," as recited in claim 1. To cure this deficiency of Jonsson, the Examiner relies on McBride. McBride discloses in-line monitoring of a communication link between two stations. Compressed frames are received at a frame processor which attempts to decompress the frame if it is compressed. Specifically, McBride states:

> FIG. 2 illustrates by way of example a typical receiver for a frame-based transmission network. Frames are received by a driver 20 which by way of a buffer 21 passes a frame to a frame preprocessor 22 which attempts to decompress the payload (the compressed data) if it can. The preprocessor passes on either the original, compressed payload or the decompressed payload to the rest of the system.
>
> **The frame preprocessor needs to decode a portion of a received frame to be able to determine whether the frame is compressed or not.** Generally speaking, the frame

> processor will extract various flags, ignore any `padding` octets and extract a control field. The extracted fields will be stored in a buffer, along with the original frame length, and will be examined for known compression algorithms. If a match is detected, a decompression engine 23 will be employed and the returned buffer will be used for the rest of the decode, the original buffer being preferably returned to the `driver pool`, namely made available for the storage of data received by the driver. The frame preprocessor will mark the frame as `decompressed` in a suitable header.
>
> If the decompression engine should fail to decompress the compressed frame, it may update a separate compression MIB with this information and will pass the original frame on to an RMON2 decoder 24, the construction of which is not relevant to the present invention.
>
> FIG. 2 illustrates the passage of a compressed frame 25 to the decompression engine and the return of decompressed data 26 to the frame pre-processor. A decompressed frame 29 is shown with a header 28 and the decompressed data 26. The decompression engine is shown as containing a pool of memories 29 and as returning a buffer 30 to a memory pool 31 within the driver 20. In practice the memories or buffers are external to the devices they serve and are connected to them by means of data buses. Access to the memories is controlled by an appropriate system of control signals, as known in the art.

McBride, col. 2 line 58 to col. 3 line 26. Emphasis added. At best, McBride discloses receiving a frame and checking whether it is compressed. However, nowhere does McBride disclose or suggest an algorithm used to determine whether to compress the frame, much less an algorithm to determine whether a packet is to be compressed. Therefore, McBride fails to disclose or suggest the following feature of claim 1: "selectively updating a compression history at a compressor based on a first algorithm configured to determine whether a packet is to be compressed, and based on a second algorithm configured to determine whether a compressed packet is to be used for the updating of the compression history." While Banerji discloses a method for compressing video, Banerji fails to cure the aforementioned deficiency of McBride. Therefore, claim 1 is allowable over Jonsson, Banerji, and McBride, whether these references are taken individually or in combination, and the rejection of claim 1 under 35 U.S.C. §103(a) should be withdrawn.

Moreover, Jonsson discloses, at best, header compression and decompression rather than

packet compression. Specifically Jonsson states:

> In packet communications **that utilize header compression/decompression**, relatively fast and reliable header compression context updates can be accomplished with relatively low overhead by: sending anticipatory context update requests before decompressor context invalidation is detected; sending redundant context update requests; and sending redundant context updates. Transmission parameters associated with both context update requests and context updates can be controlled appropriately to improve their chances for delivery, and needless context update requests can be identified and ignored at the header compression side.

Jonsson, Abstract. Emphasis added. The Examiner alleges that the header compression of Jonsson corresponds to the packet compression of claim 1. However, the Jonsson header compression merely compresses the header rather than the packet. Therefore, Jonsson fails to disclose or suggest the following feature of claim 1: "selectively updating a compression history at a compressor based on a first algorithm configured to determine whether a packet is to be compressed, and based on a second algorithm configured to determine whether a compressed packet is to be used for the updating of the compression history." While McBride discloses in-line monitoring of a communication link, and Banerji discloses a method for compressing video, neither McBride nor Banerji cures the aforementioned deficiency of Jonsson. For at least this reason, claim 1 is allowable over Jonsson, Banerji, and McBride, whether these references are taken individually or in combination, and the rejection of claim 1 under 35 U.S.C. §103(a) should be withdrawn for this additional reason.

Furthermore, the Examiner appears to have improperly combined McBride and Banerji. Specifically, McBride teaches away from the Examiner's proposed combination with Banerji. Banerji discloses compression of method data information. The motion data is split and then compressed. Specifically, Banerji states:

> Furthermore, the motion data information of each I-frame distance set is split into a set of homogenous files, based on whether the component represents horizontal or vertical motion, whether the frame is P- or B-type, and so on. For example, horizontal motion

> components for P frames are stored in one file, while vertical motion components for P frames are stored in another file. An additional file is formed that stores the motion compensation modes. **These files are then individually compressed using a suitable lossless data compression algorithm that can exploit data history from the beginning of each file.** Because the files are homogeneous, the statistical properties of all the data in each separate file are similar and the motion data can therefore be compressed to a much greater extent than if the motion data were not separated.

Banerji, par. 0010. Emphasis added. On the other hand, McBride discloses receiving frames which may or may not be compressed. Since Banerji's files are always compressed whereas McBride's frames are not always compressed, Banerji teaches away from McBride. Thus, one of ordinary skill would not have been motivated to combine McBride and Banerji, let alone be motivated to make the Examiner's proposed combination of Jonsson, McBride, and Banerji. For at least this reason, claim 1 is allowable over Jonsson, McBride, and Banerji, whether these references are taken individually or in combination, and the rejection of claim 1 under 35 U.S.C. §103(a) should be withdrawn for this additional reason.

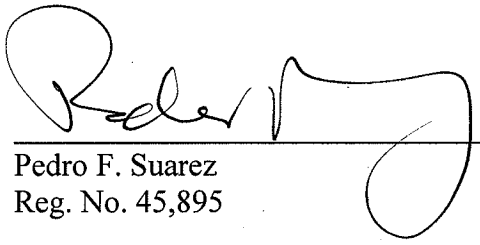
Independent claims 6, 11, 15, 19, 22, 23, 24, 25, and 26, include similar features as noted above with respect to claim 1. For at least the reasons noted above with respect to claim 1, independent claims 6, 11, 15, 19, 22, 23, 24, 25, and 26 as well as claims 2-5, 7-10, 12-13, 16-18, 20, and 21, at least by reason of their dependency form their independent claims, are allowable over Jonsson, Banerji and McBride, whether these references are taken individually or in combination, and the rejection of those claims under 35 U.S.C. §103(a) should be withdrawn.

CONCLUSION

On the basis of the foregoing amendments, the pending claims are in condition for allowance. It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper.

The Commissioner is hereby authorized to charge any additional claim fees and any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 39700-783001US/NC37129US. If there are any questions regarding this reply, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,



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Pedro F. Suarez
Reg. No. 45,895

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
3580 Carmel Mountain Road, Suite 300
San Diego, CA 92130
Customer No. 64046
Tel.: 858/314-1540
Fax: 858/314-1501